

FEB. 15. 2005 3:38PM

312 616 5700

Rec'd PCT/PTO 15 FEB 2005

NO. 3175 P. 1

10/510121

LAW OFFICES

LEYDIG, VOIT & MAYER, LTD.
TWO PRUDENTIAL PLAZA, SUITE 4900
CHICAGO, ILLINOIS 60601-6780

TELEPHONE: (312) 616-5600

TELECOPY: (312) 616-5700 (G3)
(312) 849-0495 (G4)

FACSIMILE COVER SHEET

DATE: FEBRUARY 15, 2005

NUMBER OF PAGES (INCLUDING
THIS TRANSMITTAL COVER SHEET): 8

OUR REFERENCE: 231060

FROM: JOHN KILYK, JR./KAS
REGISTRATION NO. 30,763

DIRECT LINE: (312) 616-5665

TO:

RE: NOTIFICATION OF MISSING REQUIREMENTS

WINSTON ALVARADO

MAIL STOP PCT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

TELEPHONE NUMBER: (703) 308-9140 x/206

FACSIMILE NUMBER: (703) 746-6702

IN RE APPLN. OF: SUGARU ET AL
APPLICATION NO. 10/510,121
FILED: NOVEMBER 3, 2004
FOR: NOVEL BLOOD SUGAR CONTROLLER AND METHOD OF
SCREENING THE SAME

ATTORNEY DOCKET: 231060

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

COPY OF POSTCARD DATED NOVEMBER 3, 2004, STAMPED AND RETURNED BY USPTO
COPY OF SECOND TRANSMITTAL LETTER, SUBMITTED ON NOVEMBER 3, 2004
COPY OF DECLARATION, SUBMITTED ON NOVEMBER 3, 2004

A confirmation copy of the transmitted document will:

☒ Not be sent. This will be the only form of delivery of the transmitted document.

The information contained in this facsimile transmission is intended only for the use of the individual or entity named above and those properly entitled to access to the information and may contain information that is privileged, confidential, and/or exempt from disclosure under applicable law. If the reader of this transmission is not the intended or an authorized recipient, you are hereby notified that any unauthorized distribution, dissemination, or duplication of this transmission is prohibited. If you have received this transmission in error, please immediately notify us by telephone or facsimile. Thank you.

BEST AVAILABLE COPY

THE PATENT AND TRADEMARK OFFICE IS RESPECTFULLY REQUESTED TO PLACE ITS STAMP ON THIS POSTAL CARD AND PLACE IT IN THE OUTGOING MAIL TO SHOW THE FOLLOWING PAPERS HAVE BEEN RECEIVED.

VIA EXPRESS MAIL

MAILING/FILING DATE: November 3, 2004
APPLICATION OF: SUGARU et al.

DOCKET NO. 231060
CLIENT: Takashima

EXPRESS MAIL NO: EV 419253237 US

TITLE: NOVEL BLOOD SUGAR CONTROLLER AND METHOD OF SCREENING THE SAME

APPLICATION NO. 10/610,121

JKJ/kas

- ☒ Second Transmittal Letter to US Designated/ Receiving Office [Total Pages 3 (in duplicate)]; and
- ☒ Executed Combined Declaration and Power of Attorney [Total Pages 3].

DT07 Rec'd PCT/PTO 03 NOV 2004

COPY

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 USC 371 AND 37 CFR 1.491**

ATTORNEY DOCKET NO. 231060

CLIENT REF. NO. 201266

U.S. APPLICATION NO. 10/510,121

INTERNATIONAL APPLICATION NO.
PCT/JP03/04260INTERNATIONAL FILING DATE
3 April 2003 (03.04.2003)PRIORITY DATE CLAIMED
3 April 2002 (03.04.2002)TITLE OF INVENTION NOVEL BLOOD SUGAR CONTROLLER AND METHOD OF SCREENING THE SAME
APPLICANT(S) FOR DO/EO/US SUGARU et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371 and 37 CFR 1.491.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 USC 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 USC 371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 USC 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).
11. Nucleotide and/or Amino Acid Sequence Submission
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper Copy
 - c. ☐ Statement verifying identity of above copies
- Items 12 to 19 below concern other document(s) or information included:
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
 - ☐ Form PTO-1449
 - ☐ Copies of References (except for U.S. patents and applications)
13. ☐ An assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☐ A **FIRST** preliminary amendment.
 - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ Application Data Sheet Under 37 CFR 1.76
18. ☒ Return Receipt Postcard
19. ☐ Other items or information:

COPY

U.S. APPLICATION NO. 10/510,121		INTERNATIONAL APPLICATION NO. PCT/JP03/04260		ATTORNEY DOCKET NO. 231060		CLIENT REF. NO. 201266	
20. The following fees are submitted:							
<input type="checkbox"/> Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,110.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$950.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO, but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$790.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$750.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) to (4).....\$100.00							
ENTER APPROPRIATE BASIC FEE AMOUNT=						CALCULATIONS	
						PTO USE ONLY	
COPY							
<input type="checkbox"/> Claim Fee							
CLAIMS		NUMBER FILED		NUMBER EXTRA		RATE	
Total Claims		-20=					
Independent Claims		- 3 =				x \$ 18.00 \$	
<input type="checkbox"/> Multiple Dependent Claim(s) (if applicable)						x \$ 88.00 \$	
<input checked="" type="checkbox"/> Surcharge of \$130.00 for furnishing the National fee or oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date						+\$300.00 \$	
						\$130.00	
TOTAL OF ABOVE CALCULATIONS=						\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.							
						\$()	
SUBTOTAL=						\$	
<input type="checkbox"/> Processing fee of \$130.00 for furnishing English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date.							
						\$	
TOTAL NATIONAL FEE=						\$130.00	
<input type="checkbox"/> Fee for recording the enclosed assignment. The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property							
						+	
TOTAL FEE=						\$130.00	
						Amount to be:	
						refunded \$	
						charged: \$	

- a. ☐ No fee is believed to be due.
- b. ☒ Please charge Deposit Account No. 12-1216 the total fee indicated above.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO.
23460:

23460

John Kilyk, Jr.
 John Kilyk, Jr., Registration No. 30,763
 Leydig, Voit & Mayer, Ltd.
 Two Prudential Plaza, Suite 4900
 180 North Stetson Avenue
 Chicago, Illinois 60601-6780
 (312) 616-5600 (telephone)
 (312) 616-5700 (facsimile)
 Date: November 3, 2004

U.S. APPLICATION NO.
10/510,121INTERNATIONAL APPLICATION NO.
PCT/JP03/04260ATTORNEY DOCKET NO.
231060CLIENT REF. NO.
201266

CERTIFICATION UNDER 37 CFR 1.10

"Express Mail" Label Number: EV 419253237 US

Date of Deposit: November 3, 2004

I hereby certify that this transmittal document with respect to the U.S. national phase of the above-referenced International Patent Application, including all of the items listed thereon as enclosures, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

John Kilyk, Jr.

Printed Name of Person Signing:

Signature

COPY